

Memorandum

To : The Conservancy
The Advisory Committee

Date: March 24, 2008

From :  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 16: Consideration of resolution authorizing the Conservancy to enter into a five year term lease with the YMCA of Metropolitan Los Angeles at Temescal Canyon Park, Pacific Palisades.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing the Conservancy to enter into a five year term lease with the YMCA of Metropolitan Los Angeles at Temescal Canyon Park, Pacific Palisades and delegate to the Executive Director the authority to finalize lease negotiations.

Legislative Authority: Public Resources Code Section 33211(c).

Background: Temescal Canyon Park was acquired from The Synod of Southern California in 1995. The Conservancy acquired the property subject to a 1985 option agreement and a pool lease entered into by and between The Synod and the YMCA of Metropolitan Los Angeles (YMCA). The YMCA was in possession of both the pool area and the option parcel at the time of the acquisition. The option parcel is located at the entrance of the Temescal Canyon Park. The YMCA exercised the option in 2007.

The pool lease was to terminate upon the happening of the earliest of the following dates: 1) the completion and opening of a new pool on the option parcel; 2) termination of the option agreement; or 3) the date 15 years after the pool lease date. By agreement in 1994 the Conservancy amended the pool lease term to provide for the term to expire upon the end of the useful life of the existing pool.

The YMCA pool recently sustained significant damage that has been temporarily repaired. The YMCA has requested that the parties enter into a new lease prior to the YMCA making the expenditures required to extend the useful life of the pool. The YMCA has requested that the term be extended for a period of time sufficient to allow the YMCA to relocate to a new pool located offsite.

The form of the new lease will be substantially in the same form as signed by Seven Arrows and Chabad. The proposed term of the lease is five years. The proposed consideration for the lease is similar to past consideration - namely free use of the pool by the Conservancy and

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Mountains Recreation and Conservation Authority for two hours each day. In addition, staff has requested use of the YMCA option parcel as an overflow parking location.

The YMCA to retain all liability for the pool and pool premises and shall pay all costs for maintenance, insurance, utilities and operation.